

3. Plaintiff incurred \$9,784.50 in reasonable and necessary attorneys' fees in filing and prosecuting Plaintiff's claims to enforce its interest in certain real property as a result of the default under the loan agreement made subject to this suit. *See* **Exhibit A**, Declaration of Mark D. Cronenwett. A true and correct copy of the detailed billing statements showing the attorneys' fees by name, date, and amount is attached hereto as **Exhibit A-2**. Accordingly, in this Motion, Plaintiff requests an award of attorneys' fees in the amount of \$9,784.50 that it has incurred in this case.

4. Plaintiff is entitled to attorneys' fees pursuant to Texas Civil Practice and Remedies Code section 38.001 because this suit is to enforce a written contract through foreclosure. *See* TEX. CIV. P. REM. CODE § 38.001(8). Furthermore, the loan contract provides for recovery of reasonable attorneys' fees incurred in pursuit of foreclosure. (*See* ECF Doc. No. 1-1 p. 14, ¶ 9; p.3 ¶2; p. 5, ¶7B). Plaintiff seeks attorney's fees as an additional debt secured by the subject Security Instrument and not as a personal judgment against the Defendants.

PRAYER

For these reasons, Plaintiff Deutsche Bank National Trust Company, as Trustee for Morgan Stanley ABS Capital I Inc. Trust 2003-HE2 Mortgage Pass-Through Certificates, Series 2003-HE2 requests that the Court award it its attorneys' fees in the total amount of \$9,784.50, to be recovered from as a further obligation owed by them under the Note and Security Instrument made basis of this suit. Plaintiff also prays for all relief, whether at law or in equity, to which it is justly entitled.

Respectfully submitted,

By: /s/ Samin Hessami

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CERTIFICATE OF SERVICE

The undersigned certifies that on September 15, 2020 a true and correct copy of the foregoing document was delivered to the following Defendants in the manner described below:

Via U.S. Mail

Glenda Hinojosa

Roy Hinojosa

7505 Leading Oaks Street

Live Oaks, Texas 78233

/s/ Samin Hessami

SAMIN HESSAMI